

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RAY CHARLES HARRIS,

Petitioner,

v.

STATE OF WASHINGTON,

Respondent.

CASE NO. 3:16-CV-05716-BHS-DWC

ORDER DENYING MOTION TO
CONDUCT DISCOVERY

The District Court has referred this action filed under 28 U.S.C. § 2254 to United States Magistrate Judge David W. Christel. Currently before the Court is Petitioner Ray Charles Harris's Motion to Compel Discovery ("Motion"). Dkt. 12.¹ As Petitioner must have leave of Court to conduct discovery, the Court interprets the Motion as a request to conduct discovery.

Petitioner filed this habeas corpus Petition ("Petition") challenging his convictions of assault and malicious mischief. Dkt. 7. The Court directed service of the Petition on August 29, 2016. Dkt. 8. Petitioner filed the Motion on September 14, 2016, requesting the Court compel the Pierce

¹ Also pending in this action are Petitioner's Motion for Summary Judgment and Respondent's Answer to the Petition, which are ready for the Court's consideration on October 28, 2016. *See* Dkt. 14, 15.

1 County Superior Court Clerk to “hand over trial transcripts, motion to dismiss and motion for arrest
2 of judgement (sic)” in his case. Dkt. 12. Respondent filed a Response to the Motion on September
3 15, 2016. Dkt. 13, 15. Petitioner has not filed a reply to the Response.

4 Under Rule 6 of the Rules Governing Section 2254 Cases, “[a] judge may, for good
5 cause, authorize a party to conduct discovery under the Federal Rules of Civil Procedure and
6 may limit the extent of discovery.” Rule 6(a). “A party requesting discovery must provide
7 reasons for the request. The request must also include any proposed interrogatories and requests
8 for admission, and must specify any requested documents.” Rule 6(b).

9 Petitioner specified the documents he requests from the Pierce County Superior Court
10 Clerk. Dkt. 12. Petitioner, however, does not provide any reason for requesting the documents.
11 *See id.* Therefore, the Court will not grant leave to conduct discovery at this time. As Petitioner
12 does not have permission to conduct discovery, the Motion is denied.

13 Dated this 18th day of October, 2016.

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16 David W. Christel
17 United States Magistrate Judge
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